

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. W.A. DREW)
EDMONDSON, in his capacity as ATTORNEY)
GENERAL OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT, in his)
capacity as the TRUSTEE FOR NATURAL)
RESOURCES FOR THE STATE OF)
OKLAHOMA,)

Plaintiff,)

vs.)

TYSON FOODS, INC., TYSON POULTRY, INC.,)
TYSON CHICKEN, INC., COBB-VANTRESS,)
INC., CAL-MAINE FOODS, INC., CAL-MAINE)
FARMS, INC., CARGILL, INC., CARGILL)
TURKEY PRODUCTION, LLC, GEORGE'S, INC.,)
GEORGE'S FARMS, INC., PETERSON FARMS,)
INC., SIMMONS FOODS, INC., and WILLOW)
BROOK FOODS, INC.,)

Defendants.)

Case No. 05-CV-329-GKF-SAJ

ORDER

Before the Court is the State of Oklahoma's Objection to the Amended Scheduling Order.

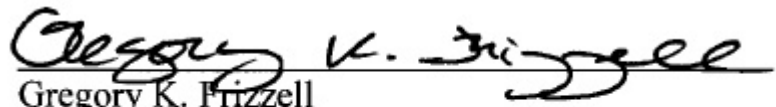
[Docket No. 1470].¹

A district judge may reconsider a magistrate judge's order in a pretrial matter where it has been shown that the order is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A). *See also* Fed. R. Civ. Proc. 72(a) (on nondispositive matters "[t]he district judge to whom the case is assigned shall consider such objections and shall modify or set aside any portion of the magistrate judge's order found to be clearly erroneous or contrary to law.").

¹ The Magistrate Judge entered the Amended Scheduling Order on November 15, 2007. [Docket No. 1376]. The State then moved for reconsideration. [Docket No. 1386]. The Magistrate Judge issued an Order granting the motion for reconsideration in part and denying it in part. [Docket No. 1459]. The State then filed the objection now before the Court.

Upon review of the briefs submitted by the parties, the State of Oklahoma's Objection to the Amended Scheduling Order [Docket No. 1470] is denied.

IT IS SO ORDERED this 14th day of March 2008.


Gregory K. Frizzell
United States District Judge
Northern District of Oklahoma